

To: Janette Brimmer[jbrimmer@earthjustice.org]; Katherine O'Brien[kobrien@earthjustice.org]; 'Pinkston, Daniel (ENRD)'[Daniel.Pinkston@usdoj.gov]; Jennifer Chavez[jchavez@earthjustice.org]; 'Albert F. Ettinger (ettinger.albert@gmail.com)'[ettinger.albert@gmail.com]; Schroer, Lee[schroer.lee@epa.gov]; Perkins, Erin[Perkins.Erin@epa.gov]; Laidlaw, Tina[Laidlaw.Tina@epa.gov]; Zomer, Jessica[Zomer.Jessica@epa.gov]; Moser, Kurt[KMoser2@mt.gov]; 'Bond, Sarah (SBond@mt.gov)'[SBond@mt.gov]; 'mwarhank@jmgm.com'[mwarhank@jmgm.com]; Andes, Fredric[Fredric.Andes@btlaw.com]; Fortney, Jill[Jill.Fortney@btlaw.com]; Stephanie Tsosie[stsosie@earthjustice.org]
From: Drucker, Paul
Sent: Tue 10/25/2016 4:33:59 PM
Subject: RE: Revised version of Joint Submission...

For NACWA, please change our signature block to the following (while maintaining Murry Warhank as well). Our pro have vice admission acknowledgements are still pending. Other than that, we approve the document with Ms. O'Brien's edits. Thanks.

Frederic P. Andes

Fredric P. Andes (*pro hac vice admission pending*)

Jill M. Fortney (*pro hac vice admission pending*)

Barnes & Thornburg LLP

1 N. Wacker Dr., Ste. 4400

Chicago, IL 60606

Tel: (312) 357-1313

fredric.andes@btlaw.com

jill.fortney@btlaw.com

Paul M. Drucker (*pro hac vice admission pending*)

Barnes & Thornburg LLP

11 S. Meridian St.

Indianapolis, IN 46204

Tel: (317) 231-7710

pdrucker@btlaw.com

From: Janette Brimmer [mailto:jbrimmer@earthjustice.org]

Sent: Tuesday, October 25, 2016 12:09 PM

To: Katherine O'Brien; 'Pinkston, Daniel (ENRD)'; Jennifer Chavez; 'Albert F. Ettinger (ettinger.albert@gmail.com)'; 'Schroer, Lee'; 'Perkins, Erin'; 'Laidlaw, Tina'; 'Zomer, Jessica'; Moser, Kurt; 'Bond, Sarah (SBond@mt.gov)'; 'mwarhank@jmgm.com'; Andes, Fredric; Drucker, Paul; Fortney, Jill; Stephanie Tsosie

Subject: RE: Revised version of Joint Submission...

This is acceptable to plaintiffs, noting Katherine's edits below.

Janette Brimmer

Attorney

Earthjustice Northwest Office

705 2nd Avenue, Suite 203

Seattle, WA 98104

T: 206.343.7340, ext. 1029

F: 206.343.1526

earthjustice.org



The information contained in this email message may be privileged, confidential and protected from disclosure.

2017-010046-0000135

If you are not the intended recipient, any dissemination, distribution or copying is strictly prohibited.

If you think that you have received this email message in error, please notify the sender by reply email and

delete the message and any attachments.

From: Katherine O'Brien
Sent: Tuesday, October 25, 2016 8:52 AM
To: 'Pinkston, Daniel (ENRD)'; Janette Brimmer; Jennifer Chavez; 'Albert F. Ettinger (ettinger.albert@gmail.com)'; 'Schroer, Lee'; 'Perkins, Erin'; 'Laidlaw, Tina'; 'Zomer, Jessica'; Moser, Kurt; 'Bond, Sarah (SBond@mt.gov)'; 'mwarhank@jmgm.com'; Andes, Fredric; 'pdrucker@btlaw.com'; 'jfortney@btlaw.com'; Stephanie Tsosie
Subject: RE: Revised version of Joint Submission...

Dan,

Thank you for handling today's filing. In the attached redline I've noted four non-substantive changes that I suggest incorporating (changing a reference to administrative "records" in paragraph 3 to administrative "record", correcting possessive forms of "Defendant-Intervenors" in brief proposal tables, and reordering the signatures for plaintiffs' counsel).

With these minor corrections you have my consent to file. I anticipate Janette will respond separately.

Thanks,

Katherine

From: Pinkston, Daniel (ENRD) [<mailto:Daniel.Pinkston@usdoj.gov>]
Sent: Tuesday, October 25, 2016 9:28 AM
To: Janette Brimmer; Jennifer Chavez; Katherine O'Brien; 'Albert F. Ettinger (ettinger.albert@gmail.com)'; 'Schroer, Lee'; 'Perkins, Erin'; 'Laidlaw, Tina'; 'Zomer, Jessica'; Moser, Kurt; 'Bond, Sarah (SBond@mt.gov)'; 'mwarhank@jmgm.com'; Andes, Fredric; 'pdrucker@btlaw.com'; 'jfortney@btlaw.com'; Stephanie Tsosie

Subject: Revised version of Joint Submission...

Counsel, this version should include all changes. Note that the first schedule is proposed by Plaintiff and EPA. Montana indicates that it is comfortable with either proposed schedule and word count, and that is now reflected on page 8 of the document. I've tried to get all signature blocks right.

Please let me know this morning whether you approve the filing in this format and whether I have your authority to file this with the court.

Dan Pinkston

303-844-1804

CONFIDENTIALITY NOTICE: This email and any attachments are for the exclusive and confidential use of the intended recipient. If you are not the intended recipient, please do not read, distribute or take action in reliance upon this message. If you have received this in error, please notify us immediately by return email and promptly delete this message and its attachments from your computer system. We do not waive attorney-client or work product privilege by the transmission of this message.